



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shinji MIWA et al.

Group Art Unit: 2624

Application No.: 10/809,836

Examiner: D. ROSARIO

Filed: March 26, 2004

Docket No.: 118929

For: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD, AND IMAGE PROCESSING PROGRAM

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

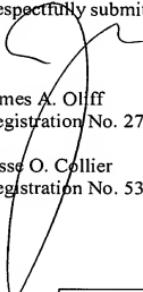
In reply to the June 8, 2007 Restriction Requirement, Applicants provisionally elect Group II, claims 1, 2, 3, 7, 8, 9, 10 and 11, with traverse.

It is also respectfully submitted that the subject matter of all claims 1-44 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Further, although claims 1-44 are indicated as being subject to restriction in the Office Action Summary, Applicants note claim 44 was not included within an identified group. It is assumed that claim 44 was intended to be included with group IV, as claim 44 derives dependence from independent claim 39. This response was prepared accordingly.

Respectfully submitted,

  
James A. Oliff  
Registration No. 27,075

Jesse O. Collier  
Registration No. 53,839

JAO:GCV/jgg

Date: July 9, 2007

**OLIFF & BERRIDGE, PLC**  
P.O. Box 19928  
Alexandria, Virginia 22320  
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE  
AUTHORIZATION  
Please grant any extension  
necessary for entry;  
Charge any fee due to our  
Deposit Account No. 15-0461